

REMARKS

Interview summary

Applicant's representative, Michael Dryja, conducted an interview with the Examiner on August 25, 2006. Mr. Dryja and the Examiner discussed subject matter disclosed within the patent application that may potentially render the claimed invention patentable over the prior art. However, no agreement was reached as to which subject matter, if included in the claims, would render the claimed invention allowable.

Claim rejections under 35 USC 112

Claims 1, 11, and 15 have been rejected under 35 USC 112, as being indefinite. In particular, the Examiner has stated that the statement "the key is inaccessible by all user processes" is unclear. Applicant has amended this statement so that it further reads "in that none of the user processes is able to access the key." Applicant therefore submits that the statement is definite, and requests withdrawal of this rejection.

Claim rejections under 35 USC 103(a)

Claims 1, 3-7, 10-12, and 15-16 have been rejected under 35 USC 103(a) as to Stein ("Web Security . . .", 1998, ISBN 0201634899) in view of Marino (5,530,758), and further in view of Fontana ("Defending against Outlook viruses"). Claim 8 has been rejected under 35 USC 103(a) as to Stein in view of Marino and Carter (5,845,331) and further in view of Boden (6,182,228). Claims 13 and 17 have been rejected under 35 USC 103(a) as being unpatentable over Stein in view of Marino and further in view of Fontana and Bean (4,843,541). Claims 13 and 17 have also been rejected under 35 USC 103(a) as being unpatentable over Stein in view of Marino and further in view of Benedyk (2001/0055380) and Bean. Claims 14 and 18 have been rejected under 35 USC 103(a) as being unpatentable over Stein in view of Marino, and further in

view of Fontana, Benedyk, and Boden (6,182,228). Claims 1, 3-7, 11, and 15 have also been rejected under 35 USC 103(a) as being obvious over Windows NT (Microsoft Process) in view of Stein, and further in view of Fontana. Claims 1, 3-7, 11, and 15 have also been rejected as being obvious over Windows NT, in view of Stein, and further in view of Carter.

Applicant notes that claims 1, 11, and 15 are independent claims, from which the remaining pending claims depend. Applicant asserts that claims 1, 11, and 15 as amended are patentable, such that the remaining pending claims are patentable for at least the same reasons. Applicant specifically discusses claim 1 as representative of independent claims 1, 11, and 15 insofar as patentability over the cited prior art references in combination is concerned.

Claim 1 has been amended so that a secure transmission channel is established from a user process to another user process. The former user process runs on a partition of a node that has been partitioned into a plurality of partitions, where each partition has a corresponding operating system instance such that each partition is a separate virtual computer running on the first node. The latter user process likewise runs on a partition of a node that has been partitioned into a plurality of partitions, where each partition has a corresponding operating system instance such that each partition is a separate virtual computer running on the second node. Furthermore, in claim 1, it is now explicit that identification of the first partition of the first node is sent from hardware of the first node to hardware of the second node, such that the hardware of the second node receives these identifications and verifies them.

Applicant submits that the cited prior art references in combination do not teach or suggest all the limitations of the claimed invention. In particular, the references are not concerned with a secure transmission channel established from a user process running on a particular partition of a first node to a user process running on a particular partition of a second node in the specific way recited within the claimed invention, where each partition has a corresponding operating system instance such that each is a separate virtual computer. Furthermore, the prior art references do not recite sending between the user processes in question identification of the

partitions on which the user processes are running. For at least these reasons, therefore, the claimed invention is not rendered unpatentable over the cited prior art references in combination.

Conclusion

Applicants have made a diligent effort to place the pending claims in condition for allowance, and request that they so be allowed. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Applicants' Attorney so that such issues may be resolved as expeditiously as possible. For these reasons, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,



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Date

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